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c) a polynucleotide that hybridizes under moderately stringent conditions to the non-coding strand of the polynucleotide of (a) or (b); said moderately stringent conditions comprising a final wash at 65 degrees C in 2X SSC and 0.1%SDS.

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35. The polypeptide according to claim 34 comprising the amino acid sequence selected from the group consisting of SEQ ID NO: 2, SEQ ID NO: 19, SEQ ID NO: 21 and SEQ ID NO: 23.

REMARKS

I. The Subject Matter of the Claims

During prosecution of the instant application, the examiner issued a five-way restriction requirement. Accordingly, the cancellation of claims 1-33 and the introduction of new claims 34-35 in the instant amendment reflects the Applicant's election of group I (corresponding to canceled claims 1-2). Support for new claim 34 can be found in the specification as originally filed at, for example, page 6, lines 27-28, page 7, lines 2-3, page 10, lines 1-3 and page 8 lines 14-16. Support for new claim 35 can be found in the specification as originally filed at, for example, page 10, lines 1-3.

II. The Amendments


Upon entry of the present amendment, pending claims in the application will read as set out in Appendix A hereto. Claims 34-35 have been amended to adopt the language of the allowed claims in related application Serial No. U.S. Patent No. 6,350,603.

The Applicant does not intend by this amendment or any other amendments to abandon the subject matter of any claim as originally filed. The Applicant reserves the right to pursue such subject matter in a duly filed continuing application.

Enclosed herewith is a check for \$930.00 and a petition for a three month extension of time. Should any additional fees be deemed necessary in connection with the filing of this document, the Commissioner is hereby authorized to deduct any such fees from Marshall, Gerstein and Borun deposit account number 13-2855.

Respectfully submitted,
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APPENDIX A

Pending claims upon entry of present amendment

34. (NEW) A phosphodiesterase polypeptide encoded by a polynucleotide selected from the group consisting of:
- a) a polynucleotide comprising the sequence set forth in SEQ ID NO: 1;
 - b) a polynucleotide encoding the polypeptide comprising an amino acid sequence selected from the group consisting of SEQ ID NO: 2, SEQ ID NO: 19, SEQ ID NO: 21, SEQ ID NO: 23; and
 - c) a polynucleotide that hybridizes under moderately stringent conditions to the non-coding strand of the polynucleotide of (a) or (b); said moderately stringent conditions comprising a final wash at 65 degrees C in 2X SSC and 0.1%SDS.
35. (NEW) The polypeptide according to claim 34 comprising the amino acid sequence selected from the group consisting of SEQ ID NO: 2, SEQ ID NO: 19, SEQ ID NO: 21 and SEQ ID NO: 23.